

# Starting Your Domestic Violence Restraining Order

These forms can be used to ask the court to make orders to protect you and your children or other household members if there has been recent domestic violence (in the past 30 days).

Some examples of Domestic Violence are physical violence such as hitting, shoving, grabbing, and restraining movement or threats with a past history of domestic violence.

If you or your children or other family members are victims of domestic violence by your spouse, father, mother, brothers or sisters or a boyfriend or girlfriend, you can use these forms to ask the court to give you a temporary protective order keeping the violent person away from you and your children.

The Temporary Restraining Order is usually granted for 25 days pending a hearing. The Temporary Restraining Order can keep the violent person away from you, your children and grant temporary custody orders.

At the hearing the court will make a 3-year order keeping the violent person away from you and your children and may make permanent custody, visitation and support order.

This packet includes a **“Temporary Restraining Order and Notice of Hearing”** [DV-110], **“Child Custody and Visitation Order”** [DV-140], a **“No Travel with Children Order** [DV-145], a **“Request for Order”** [DV-100] a **“Description of Abuse”** [DV 101], an **“Additional Page”** [MC 020] a **“Child Custody, Visitation and Support Request”** [DV 105], a **“Request for Order: No Travel With Children”** [DV 108] a **“Proof of Service (In Person)”** [DV 200], a **“Request and order for Free Service of Restraining Order”**[DV 290] and a blank **“Answer to Temporary Restraining Order”** [DV 120] along with instructions for completing the forms.

**NOTE:** The Family Law Facilitator can review your documents and assist you in correcting any mistakes before you submit your forms to the court.



Clerk stamps date here when form is filed.

① Name of person asking for protection (protected person):

Protected person's address (*skip this if you have a lawyer*): (*If you want your address to be private, give a mailing address instead*):

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Protected person's lawyer (*if any*): (*Name, address, telephone number, and State Bar number*):

Fill in court name and street address:

② Restrained person's name:

Description of that person: Sex: ☐ M ☐ F Height: \_\_\_\_\_

Weight: \_\_\_\_\_ Race: \_\_\_\_\_ Hair Color: \_\_\_\_\_

Eye Color: \_\_\_\_\_ Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Clerk fills in case number:

**Case Number:**

③ List the full names of all family or household members protected by this order: \_\_\_\_\_

④ **Court Hearing Date (*Fecha de la Audiencia*)**

Clerk will fill out section below.

**Hearing  
Date**

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Name and address of court if different from above:  
Dept.: \_\_\_\_\_ Rm.: \_\_\_\_\_

To the person in ②: At the hearing, the judge can make restraining orders that last for up to 3 years. The judge can also make other orders about your children, child support, spousal support, money, and property. At the hearing, you can tell the judge that you do not want the orders against you. Even if you do not attend the hearing, you *must* obey the orders.

*Para la persona nombrada en ②: En esta audiencia el juez puede hacer que la orden de restricción sea válida hasta un máximo de 3 años. El juez puede también hacer otras órdenes acerca de niños, manutención, dinero y propiedad. Si Usted se opone a estas órdenes, vaya a la audiencia y dígaselo al juez. Aunque no vaya a la audiencia, tiene que obedecer estas órdenes.*

To the person in ①: At the hearing, the judge will consider whether denial of any orders will jeopardize your safety and the safety of children for whom you are requesting custody visitation and child support. Safety concerns related to your financial needs and the children's will also be considered.

⑤ **Temporary Orders (*Ordenes Temporales*)**

Any orders made in this form end at the time of the court hearing in ④, unless a judge extends them.

Read this form carefully. All checked boxes ☒ and items 10 and 11 are court orders.

*Todas las órdenes hechas en esta formulario terminarán en la fecha y hora de la audiencia en ④, al menos que un juez las extienda. Lea este formulario con cuidado. Todas las casillas marcadas ☒ y artículo 10 son órdenes de la corte.*

**This is a Court Order.**



Temporary Restraining Order  
and Notice of Hearing (CLETS—TRO)  
(Domestic Violence Prevention)

This is a Court Order.

- 12

☐ **Property Control**

Until the hearing, *only* the person in ① can use, control, and possess the following property and things:
- 11

☐ **Turn in or sell guns or firearms:**

The person in ② :
  - Must sell to a licensed gun dealer or turn in to police any guns or firearms that he or she has or controls. This must be done within 24 hours of receiving this order.
  - Must bring a receipt to the court within 72 hours of receiving this order, to prove that guns and firearms have been turned in or sold.
- 10

☐ **No Guns or Other Firearms**

The person in ② cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get a gun or firearm.
- 9

☐ **Child Custody and Visitation Order**

a. ☐ You and the other parent must make an appointment for court mediation (*address and phone number*):  
\_\_\_\_\_ b. ☐ Follow the orders listed in Form DV-140, which is attached.
- 8

☐ **Move-Out Order**

The person in ② must take only personal clothing and belongings needed until the hearing and move out immediately from (*address*):  
\_\_\_\_\_
- 7

☐ **Stay-Away Order**

The person in ② must stay at least \_\_\_\_\_ yards away from:
  - a. ☐ The person listed in ①
  - b. ☐ The people listed in ③
  - c. ☐ Home ☐ Job ☐ Vehicle of person in ①
  - d. ☐ The children's school or child care
  - e. ☐ Other (*specify*): \_\_\_\_\_
- 6

☐ **Personal Conduct Orders**

The person in ② must *not* do the following things to the protected people listed in ① and ③:
  - a. ☐ Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, or block movements
  - b. ☐ Contact (either directly or indirectly), or telephone, or send messages or mail or e-mail
  - ☐ Except for brief and peaceful contact as required for court-ordered visitation of children unless a criminal protective order says otherwisePeaceful written contact through a process server or another person to serve legal papers is allowed and does not violate this order.

Your name: \_\_\_\_\_

Case Number: \_\_\_\_\_

Your name: \_\_\_\_\_

**13** ☐ **Property Restraint**

If the people in ① and ② are married to each other or are registered domestic partners, they must not transfer, borrow against, sell, hide, or get rid of or destroy any property, except in the usual course of business or for necessities of life. In addition, each person must notify the other of any new or big expenses and explain them to the court.

**14** ☐ **Record Unlawful Communications**

The person in ① can record communications made by the person in ② that violate the judge's orders.

**15** **No Fee to Notify**

If the sheriff or marshal serves this order, he or she will do it for free.

**16** ☐ **Other Orders** (*specify*): \_\_\_\_\_\_\_\_\_\_  
\_\_\_\_\_**17** If the judge makes a restraining order at the hearing, which has the same orders as in this form, the person in ② will get a copy of that order by mail at his or her last known address. (*Write restrained person's address here*): \_\_\_\_\_

If this address is not correct, or to know if the orders were made permanent, contact the court.

**18** ☐ **Time for Service****A To: Person Asking for Order**

Someone 18 or over—**not you or the other protected people**—must personally “serve” a copy of this order to the restrained person at least \_\_\_\_\_ days before the hearing.

**B To: Person Served With Order**

If you want to respond in writing, someone 18 or over—**not you**—must “serve” Form DV-120 on the person in ①, then file it with the court at least \_\_\_\_\_ days before the hearing.

*For help with Service or answering, read Form DV-210 or DV-540.*

Date: \_\_\_\_\_

►  
\_\_\_\_\_  
*Judge (or Judicial Officer)*

**Certificate of Compliance With VAWA**

This temporary protective order meets all Full Faith and Credit requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA) upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in all jurisdictions throughout the 50 United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.**

**This is a Court Order.**

Your name: \_\_\_\_\_

**Warnings and Notices to the Restrained Person in ②****19 If you do not obey this order, you can be arrested and charged with a crime.**

- It is a felony to take or hide a child in violation of this order. You can go to prison and/or pay a fine.
- If you travel to another state or to tribal lands, or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.
- If you do not obey this order, you can go to prison and/or pay a fine.

**20 You cannot have guns or firearms.**

**You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get a gun while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a gun dealer or turn in to police any guns or firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition if you are subject to a restraining order made after a noticed hearing.**

**21 After You Have Been Served With a Restraining Order**

- Obey all the orders.
- If you want to respond, fill out Form DV-120. Take it to the court clerk with the forms listed in item ②②.
- File DV-120 and have all papers served on the protected person by the date listed in item ①⑧ of this form.
- At the hearing, tell the judge if you agree or disagree with the orders requested.
- Even if you do not attend the hearing, the judge can make the restraining orders last for 3 years.

**22 Child Custody, Visitation, and Support**

- Child Custody and Visitation: If you do not go to the hearing, the judge can make custody and visitation orders for your children without hearing your side.
- Child Support: The judge can order child support based on the income of both parents. The judge can also have that support taken directly from your paycheck. Child support can be a lot of money, and usually you have to pay until the child is 18. File and serve a *Financial Statement* (FL-155) or an *Income and Expense Declaration* (FL-150) so the judge will have information about your finances. Otherwise, the court may make support orders without hearing your side.
- Spousal Support: File and serve a *Financial Statement* (FL-155) or an *Income and Expense Declaration* (FL-150) so the judge will have information about your finances. Otherwise, the court may make support orders without hearing your side.

**This is a Court Order.**

Your name: \_\_\_\_\_

**Instructions for Law Enforcement****23 Start Date and End Date of Orders**

The start date is the date next to the judge's signature on page 3. The orders end on the hearing date on page 1 or the hearing date on Form DV-125, if attached.

**24 Arrest Required If Order Is Violated**

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6.

**25 Notice/Proof of Service**

- Law enforcement must first determine if the restrained person had notice of the orders. If notice cannot be verified, the restrained person must be advised of the terms of the orders. If the restrained person then fails to obey the orders, the officer must enforce them. (Fam. Code, § 6383.)

Consider the restrained person "served" (noticed) if:

- The officer sees a copy of the Proof of Service or confirms that the Proof of Service is on file *or*
- The restrained person was at the restraining order hearing or was informed of the order by an officer (Fam. Code, § 6383; Pen. Code, § 836(c)(2).) An officer can obtain information about the contents of the order in the Domestic Violence Restraining Orders System (DVROS). (Fam. Code, § 6381(b)(c).)

**26 If the Protected Person Contacts the Restrained Person**

Even if the protected person invites or consents to contact with the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

**27 Child Custody and Visitation**

- Custody and visitation orders are on Form DV-140, items ③ and ④. They are sometimes also written on additional pages or referenced in DV-140 or other orders that are not part of the restraining order.
- **Forms DV-100 and DV-105 are not orders. Do not enforce them.**

**28 Enforcing the Restraining Order in California**

Any law enforcement officer in California who receives, sees, or verifies the orders on a paper copy, or on the California Law Enforcement Telecommunications System (CLETS), or in an NCIC Protection Order File must enforce the orders.

**29 Conflicting Orders**

If a criminal restraining order (CR-160) conflicts with a civil restraining order (DV-110 or DV-130), enforce the criminal order. Even if the criminal order is older, the officer must still enforce it over the civil order. (Pen. Code, § 136.2(h).) Any nonconflicting terms of the civil restraining order remain in full force.

*Clerk's Certificate**[seal]*

I certify that this Temporary Restraining Order is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**



This form is attached to (check one): ☐ DV-110 ☐ DV-130

1 Protected person's name: \_\_\_\_\_ ☐ Mom ☐ Dad ☐ Other

2 Other parent's name: \_\_\_\_\_ ☐ Mom ☐ Dad ☐ Other

### The Court Orders:

3 ☐ Child Custody is ordered as follows:

Legal Custody to: (Person  
who makes decisions about health,  
education, etc. Check at least one.)

Physical Custody to:  
(Person the child lives with.  
Check at least one.)

Child's Name	Date of Birth	Mom	Dad	Other*	Mom	Dad	Other*
a. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ If more children, check here. Attach a sheet of paper and write "DV-140, Item 3 — Child Custody" at the top.

\* If Other, specify relationship to child and name of person: \_\_\_\_\_

4 ☐ Child Visitation is ordered as follows:

- a. ☐ No visitation to ☐ Mom ☐ Dad ☐ Other (name): \_\_\_\_\_
- b. ☐ See the attached \_\_\_\_\_ - page document, dated: \_\_\_\_\_
- c. ☐ The parties must go to mediation at: \_\_\_\_\_
- d. ☐ Until the next court order, visitation for ☐ Mom ☐ Dad ☐ Other \_\_\_\_\_ will be:

(1) ☐ Weekends (starting): \_\_\_\_\_ (The 1st weekend of the month is the 1st weekend with a Saturday.)  
☐ 1st ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th weekend of month  
 from \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m. to \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.  
 (day of week) (time) (day of week) (time)

(2) ☐ Weekdays (starting): \_\_\_\_\_  
 from \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m. to \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.  
 (day of week) (time) (day of week) (time)

(3) ☐ Other Visitation

Check here and attach a sheet of paper if there are other visitation days and times, like holidays, birthdays, sports events.  
 List dates and times. Write "DV-140, Item 4 — Visitation" at the top.

5 ☐ Supervised Visitation — Follow orders on attached Form DV-150.

6 ☐ Responsibility for Transportation for Visitation

"Responsibility for transportation" means the parent will take or pick up the child or make arrangements for someone else to do so.

- a. ☐ Mom ☐ Dad ☐ Other (name): \_\_\_\_\_ to the visits.
- b. ☐ Mom ☐ Dad ☐ Other (name): \_\_\_\_\_ from the visits.
- c. ☐ Drop-off / pick-up of children will be at (address): \_\_\_\_\_

This is a Court Order.

This is a Court Order.

- 7

☐ **Travel With Children**  
Mom ☐ Dad ☐ Other (name): \_\_\_\_\_ must have written permission from the other parent, or a court order, to take the children outside of:  
a. ☐ The State of California  
b. ☐ Other place(s) (list): \_\_\_\_\_
- 8

☐ **Child Abduction**  
There is a risk that one of the parents will take the children out of California without the other parent's permission. The orders in Form DV-145 are attached and must be obeyed. (Fill out and attach DV-145 to this form.)
- 9

☐ **Other Orders**  
Check here and attach any other orders to this form. Write "DV-140, Item 9 — Other Orders" on the orders.
- 10

**Jurisdiction**  
This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code starting with section 3400).
- 11

**Notice and Opportunity to Be Heard**  
The responding party was given notice and an opportunity to be heard as provided by the laws of the State of California.
- 12

**Country of Habitual Residence**  
The country of habitual residence of the child or children in this case is ☐ the United States of America or ☐ other (specify): \_\_\_\_\_.
- 13

**Penalties for Violating This Order**  
If you violate this order, you may be subject to civil or criminal penalties, or both.

Protected person's name: \_\_\_\_\_

Case Number:

☒ This form is attached to DV-140 Child Custody and Visitation Order.

1 Protected Person's name: \_\_\_\_\_ ☐ Mom ☐ Dad ☐ Other\*

2 Other parent's name: \_\_\_\_\_ ☐ Mom ☐ Dad ☐ Other\*

\* If "Other," specify relationship with child: \_\_\_\_\_

3 The Court finds there is a risk that (name of parent): \_\_\_\_\_ might take the child without permission because that parent: (Check all that apply)

- a. ☐ Has violated — or threatened to violate — a custody or visitation order in the past.
  - b. ☐ Does not have strong ties to California
  - c. ☐ Has done things that make it easy for him or her to take the children without permission. He or she has (check all that apply)
    - ☐ Quit his or her job. ☐ Sold his or her home.
    - ☐ Closed a bank account. ☐ Ended a lease.
    - ☐ Sold or gotten rid of assets. ☐ Hidden or destroyed documents.
    - ☐ Applied for a passport, birth certificate, or school or medical records.
  - d. ☐ has a history of (check all that apply)
    - ☐ Domestic violence.
    - ☐ Child abuse.
    - ☐ not cooperating with the other parent in parenting.
    - ☐ Child abduction.
  - e. ☐ has a criminal record.
  - f. ☐ has family or emotional ties to another county, state or foreign country.
- Note: If "f" is checked, at least one other factor must be checked also.

**The Court makes the following orders to prevent the parent in ③ from taking the children without permission.** These orders are valid in other states and any country that has signed the Hague Convention on The Civil Aspects of International Child Abduction.

4 ☐ **Post a Bond**

The parent in ③ must post a bond for \$ \_\_\_\_\_.

5 ☐ **Do not Move Without Permission of the Other Parent or Court Order**

The parent in ③ must *not* move with the children without permission in writing from the other parent or a court order.

6 ☐ **Do Not Travel Without Permission of the Other Person or Court Order**

The parent in ③ must NOT travel with the children outside (check all that apply)

☐ this county ☐ California ☐ the United States ☐ Other (specify): \_\_\_\_\_

7 ☐ **Notify Other State of Travel Restrictions**

The parent in ③ must register this order in the state of \_\_\_\_\_ before the child can travel to that state for visits.

**This is a Court Order.**

This is a Court Order.

JUDGE OR JUDICIAL OFFICER

Date:



**Notice to Authorities in Other States and Countries**  
This court has jurisdiction to make child custody orders under California's Uniform Child Custody Jurisdiction and Enforcement Act (California Family Code, part 3, § 3400 et seq.) and the Hague Convention on Civil Aspects of International Child Abduction (42 U.S.C. § 11601 et seq.). If jurisdiction is based on other factors, they will be listed in paragraph 13 above.

13 ☐ Other

**12 ☐ Enforcing the Order**  
The court authorizes any law enforcement officer to enforce this order. In this county, contact the Child Abduction Unit of the Office of the District Attorney at:

**11 ☐ Foreign Custody and Visitation Order**  
The parent in 3 must get a foreign custody and visitation order equivalent to the most recent U.S. order before the child can travel to that country for visits. The court recognizes that foreign orders may be changed or enforced according to the laws of that country.

**10 ☐ Notify Foreign Embassy or Consulate of Passport Restrictions**  
The parent in 3 must notify the embassy or consulate of: \_\_\_\_\_ days.  
of this order and provide the court with proof of that notification within \_\_\_\_\_ days.

**9 ☐ Provide Itinerary and Other Travel Documents**  
The parent in 3 must give the other parent the following before traveling with the children:  
☐ The child's travel itinerary  
☐ Copies of round-trip airline tickets  
☐ Addresses and telephone numbers where the child can be reached  
☐ An open airline ticket for the other parent in case the child is not returned  
☐ Other (specify): \_\_\_\_\_

**8 ☐ Turn In and Do Not Apply for Passports or Other Vital Documents**  
The parent in 3 must *not* apply for passports or other documents to (such as visas or birth certificates) that can be used for travel, and must turn in the following documents:

Your name:

Case Number:

Clerk stamps date here when form is filed.

Fill in court name and street address:

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF FRESNO**

1100 Van Ness Avenue

Fresno, California 93724-0002

Clerk fills in case number when form is filed.

**Case Number:**

1 Your name (person asking for protection):

Your address (*skip this if you have a lawyer*): (*If you want your address to be private, give a mailing address instead*):

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Your telephone number (*optional*): \_\_\_\_\_

Your lawyer (*if you have one*): (*Name, address, telephone number, and State Bar number*):

2 Name of person you want protection from:

Description of that person: Sex: ☐ M ☐ F Height: \_\_\_\_\_

Weight: \_\_\_\_\_ Race: \_\_\_\_\_ Hair Color: \_\_\_\_\_

Eye Color: \_\_\_\_\_ Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

3 Besides you, who needs protection? (*Family or household members*):

Full Name	Age	Lives with you?	How are they related to you?
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

☐ Check here if you need more space. Attach Form MC-020 and write "DV-100, Item 3—Protected People" by your statement. NOTE: In any item that asks for Form MC-020, you can use an 8 1/2 x 11 inch sheet of paper instead.

4 What is your relationship to the person in 2? (*Check all that apply*):

- a. ☐ We are now married or registered domestic partners.
- b. ☐ We used to be married or registered domestic partners.
- c. ☐ We live together.
- d. ☐ We used to live together.
- e. ☐ We are relatives, in-laws, or related by adoption (*specify relationship*): \_\_\_\_\_
- f. ☐ We are dating or used to date.
- g. ☐ We are engaged to be married or were engaged to be married.
- h. ☐ We are the parents together of a child or children under 18:
 

Child's Name: _____	Date of Birth: _____
Child's Name: _____	Date of Birth: _____
Child's Name: _____	Date of Birth: _____
- i. ☐ We have signed a Voluntary Declaration of Paternity for our child or children. (*Attach a copy if you have one.*)

☐ Check here if you need more space. Attach Form MC-020 and write "DV-100, Item 4h" by your statement.

**This is not a Court Order.**

This is not a Court Order.

You must fill out and file form FL-150 before your hearing. You can make this request only if you are married to, or are a registered domestic partner of, the person in ② and no spousal support order exists.

10 ☐ Spousal Support

Form DV-105.

I ask the court to order child custody, visitation, and/or child support. You must fill out and attach

9 ☐ Child Custody, Visitation, and Child Support

I have the right to live at the above address because (explain):

I ask the court to order the person in ② to move out from and not return to (address):

8 ☐ Move-Out Order

If the person listed in ② is ordered to stay away from all the places listed above, will he or she still be able to get to his or her home, school, job, or place of worship? ☐ Yes ☐ No (If no, explain):

- d. ☐ My job or workplace  
c. ☐ My home

b. ☐ The people listed in ③

- a. ☐ Me  
e. ☐ The children's school or child care

f. ☐ My vehicle

g. ☐ Other (specify):

I ask the court to order the person in ② to stay at least \_\_\_\_\_ yards away from: (Check all that apply):

7 ☐ Stay-Away Order

- a. ☐ Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, or block movements  
b. ☐ Contact (either directly or indirectly), or telephone, or send messages or mail or e-mail

I ask the court to order the person in ② not to do the following things to me or any of the people listed in ③:

6 ☐ Personal Conduct Orders

What orders do you want? Check the boxes that apply to your case. ☒

- b. Are there any domestic violence restraining/protective orders now (criminal, juvenile, family)?  
☐ No ☐ Yes If yes, attach a copy if you have one.

- ☐ Other (specify):  
☐ Domestic Violence ☐ Criminal ☐ Juvenile ☐ Child Support ☐ Nullity ☐ Civil Harassment  
☐ Registered Domestic Partnership ☐ Divorce/Dissolution ☐ Parentage/Paternity ☐ Legal Separation

What kind of case? (Check all that apply):

What are the case numbers? (If you know):

If yes, where? County: \_\_\_\_\_ State: \_\_\_\_\_

- a. Have you and the person in ② been involved in another court case? ☐ No ☐ Yes

5 ☐ Other Court Cases

Your name:

Case Number:

Your name: \_\_\_\_\_

**What orders do you want? Check the boxes that apply to your case. ☒****11 ☐ Record Unlawful Communications**

I ask for the right to record communications made to me by the person in (2) that violate the judge's orders.

**12 ☐ Property Control**I ask the court to give *only* me temporary use, possession, and control of the property listed here:  
\_\_\_\_\_**13 ☐ Debt Payment**

I ask the court to order the person in (2) to make these payments while the order is in effect:

☐ *Check here if you need more space. Attach Form MC-020 and write "DV-100, Item 13—Debt Payment" by your statement.*

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

**14 ☐ Property Restraint**

I am married to or have a registered domestic partnership with the person in (2). I ask the judge to order that the person in (2) not borrow against, sell, hide, or get rid of or destroy any possessions or property, except in the usual course of business or for necessities of life. I also ask the judge to order the person in (2) to notify me of any new or big expenses and to explain them to the court.

**15 ☐ Attorney Fees and Costs**

I ask that the person in (2) pay some or all of my attorney fees and costs.

*You must complete and file Form FL-150, Income and Expense Declaration.***16 ☐ Payments for Costs and Services**

I ask that the person in (2) pay the following:

*You can ask for lost earnings or your costs for services caused directly by the person in (2) (damaged property, medical care, counseling, temporary housing, etc.). You must bring proof of these expenses to your hearing.*

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

**17 ☐ Batterer Intervention Program**

I ask the court to order the person listed in (2) to go to a 52-week batterer intervention program and show proof of completion to the court.

**18 ☐ No Fee to Serve (Notify) Restrained Person***If you want the sheriff or marshal to serve (notify) the restrained person about the orders for free, ask the court clerk if you need to file more forms. You may need Form CH-101/DV-290 and Form 982(a)(17).***This is not a Court Order.**

What orders do you want? Check the boxes that apply to your case. ☒

19 ☐ More Time for Notice

I need extra time to notify the person in 2 about these papers. Because of the facts explained on this form, I want the papers served up to \_\_\_\_\_ days before the date of the hearing. For help, read DV-210.

If necessary, add additional facts: \_\_\_\_\_

20 ☐ Other Orders

What other orders are you asking for? \_\_\_\_\_

21 Turn in guns or other firearms.

If the judge approves the order, the person in 2 will be required to sell to a gun dealer or turn in to police any guns or firearms that he or she has or controls. Describe any use or threatened use of firearms in 22.

22 Describe the most recent abuse.

a. Date of most recent abuse: \_\_\_\_\_

b. Who was there? \_\_\_\_\_

c. What did the person in 2 do or say that made you afraid? \_\_\_\_\_

d. Describe any use or threatened use of guns or other weapons: \_\_\_\_\_

e. Describe any injuries: \_\_\_\_\_

f. Did the police come? ☐ No ☐ Yes

If yes, did they give you an Emergency Protective Order? ☐ Yes ☐ No ☐ I don't know

Attach a copy if you have one.

☐ Check here if you need more space. Use Form MC-020 and write "DV-100, Item 22—Recent Abuse" by

your statement.

☐ Check here if the person in 2 has abused you (or your children) other times. Use Form DV-101 or Form

MC-020 to describe any previous abuse.

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

Type or print your name \_\_\_\_\_

Sign your name \_\_\_\_\_

This is not a Court Order.

Request for Order

(Domestic Violence Prevention)

☒ This form is attached to DV-100, Item 21.

1 Your name: \_\_\_\_\_

2 Name of person you want protection from (restrained person): \_\_\_\_\_

**3 Describe the 2nd most recent abuse.**

a. Date of 2nd most recent abuse: \_\_\_\_\_

b. Who was there? \_\_\_\_\_

c. What did the person in ② do or say to you that made you afraid? \_\_\_\_\_

d. Describe any use or threatened use of guns or other weapons. \_\_\_\_\_

e. Describe any injuries. \_\_\_\_\_

f. Did the police come? ☐ No ☐ Yes

If yes, did they give you an Emergency Protective Order? ☐ Yes ☐ No ☐ I don't know

*Attach a copy if you have one.*

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C

f. Did the police come? ☐ No ☐ Yes

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[illegible]

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a. Date of other recent abuse:

t

**Case Number:**

SHORT TITLE:  	CASE NUMBER:  
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- 1
- 2
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(Required for verified pleading) The items on this page stated on information and belief are (specify item numbers, **not** line numbers):

This page may be used with any Judicial Council form or any other paper filed with the court.



☒ This form is attached to DV-100, Item 9.

1 Your name: \_\_\_\_\_ ☐ Mom ☐ Dad ☐ Other

2 Other parent's name: \_\_\_\_\_ ☐ Mom ☐ Dad ☐ Other

### 3 Change of Current Court Orders

☐ I want to change a current child custody or visitation court order.

*Explain your current order and why you want a change. Then skip to 5 and finish the form. If you do not want a change, skip to 4 and finish the form.* \_\_\_\_\_

4 ☐ I want to keep my current child custody court order without any changes. *If there are no court orders for custody, you cannot check this box. If you check this box, skip the rest of this form. If you have a copy of the current court order, attach it.*

### 5 Child Custody

I ask the court for custody as follows:

**Legal Custody to:** (Person who makes decisions about health, education, etc. Check at least one.)  
**Physical Custody to:** (Person the child lives with. Check at least one.)

Child's Name	Date of Birth	Mom	Dad	Other*	Mom	Dad	Other*
a. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ If more children, check here. Attach a sheet of paper and write "DV-105, Item 5 — Child Custody" by your request.

*\*If Other, specify relationship to child and name of person:* \_\_\_\_\_

### 6 Child's Address

Where has the child in 5a lived for the last 5 years? Give each address unless it is private. Start with where the child lives now and work backwards in time.

Child 5a's addresses:

Child 5a lived with:

Mom Dad Other\* Dates lived there:

_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____ to present
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____ to _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____ to _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____ to _____

*\*If Other, specify relationship to child and name of person:* \_\_\_\_\_

### 7 Other Children's Addresses

☐ Check here if the other child's (or children's) address information is the same as listed in 6.

☐ If it is different, check here. Attach a sheet of paper and write "DV-105, Item 7 — Other Children's Addresses" by your list. List other children's address information, including dates, and name of person child lived with.

**This is not a Court Order.**

This is not a Court Order.

Other custody case?

8

Were you involved in, or do you know of, any other custody case for any child listed in this form?  
☐ No ☐ Yes If yes, fill out below:

a. Name of each child in other custody case: \_\_\_\_\_

b. Type of case: ☐ Divorce ☐ Guardianship ☐ Adoption ☐ Juvenile ☐ Other (specify): \_\_\_\_\_

c. I was a ☐ Witness ☐ Party ☐ Other (specify): \_\_\_\_\_

d. Court (name): \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_

e. Date of court order: \_\_\_\_\_

Other people claim to have custody?

9

Do you know of anyone who is not involved in this case who has or claims to have custody or visitation rights with any child listed on this form? ☐ No ☐ Yes If yes, fill out below:

Name and address of that person:

☐ Has custody ☐ Claims custody rights ☐ Claims visitation rights

For these children (name of each child): \_\_\_\_\_

☐ Check here if you need more space. Attach a sheet of paper and write "DV-105, Item 9" by your statement.

Visitation

10

I ask the court to order that the person in 2 have the following temporary visitation rights:  
(Check all that apply)

a. ☐ No visitation until the hearing

b. ☐ No visitation after the hearing

c. ☐ The following visitation

☐ until the hearing ☐ after the hearing

(1) ☐ Weekends (starting): \_\_\_\_\_

(The 1st weekend of the month is the 1st weekend with a Saturday.)

☐ 1st ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th weekend of month

From \_\_\_\_\_ at \_\_\_\_\_ a.m. ☐ p.m. to \_\_\_\_\_ at \_\_\_\_\_ a.m. ☐ p.m.

(2) ☐ Weekdays (starting): \_\_\_\_\_

From \_\_\_\_\_ at \_\_\_\_\_ a.m. ☐ p.m. to \_\_\_\_\_ at \_\_\_\_\_ a.m. ☐ p.m.

(3) ☐ Other Visitation

Attach a sheet of paper with other visitation days and times, like holidays, birthdays, sports events. List dates and times. Write "DV-105, Item 10 — Visitation" by your statement.

Your name: \_\_\_\_\_

**11 ☐ Supervised Visitation**a. I ask that the visitation in **10** be supervised by *(write name and telephone number)*:  
\_\_\_\_\_

b. I ask that any costs for supervision be paid as follows:

Mom \_\_\_\_\_ % Dad \_\_\_\_\_ % Other *(name)* \_\_\_\_\_ %**12 ☐ Responsibility for Transportation for Visitation***"Responsibility for transportation" means the parent will take or pick up the child or make arrangements for someone else to do so.*a. ☐ Mom ☐ Dad ☐ Other *(name)*: \_\_\_\_\_ **to** the visits.b. ☐ Mom ☐ Dad ☐ Other *(name)*: \_\_\_\_\_ **from** the visits.c. ☐ Drop-off / pick-up of children will be at *(address)*: \_\_\_\_\_  
\_\_\_\_\_**13 ☐ Travel With Children**☐ Mom ☐ Dad ☐ Other *(name)*: \_\_\_\_\_ **MUST** have written permission from the other parent, or a court order, to take the children outside of:a. ☐ The State of California.b. ☐ Other place(s) *(list)*: \_\_\_\_\_  
\_\_\_\_\_**14 ☐ Child Abduction**☐ I believe that there is a risk the other parent will take our child out of California without my permission.*If you check this box you must fill out and attach form DV-108.***15 ☐ Child Support**a. ☐ I ask the court for child support. *You must fill out and file FL-150 or FL-155 before your hearing.*b. ☐ I now receive or have applied for TANF, Welfare, CalWORKS, or Medi-Cal.c. ☐ I already have a child support order, but I want it changed.**16 Important!**

You must tell the court if you find out any other information about a custody case in any court for the children listed on this form.

**This is not a Court Order.**



☒ This form is attached to DV-105, *Child Custody, Visitation, and Support Request*.

1 Your name: \_\_\_\_\_ ☐ Mom ☐ Dad ☐ Other\*

2 Other parent's name: \_\_\_\_\_ ☐ Mom ☐ Dad ☐ Other\*

\* If "Other," specify relationship with child: \_\_\_\_\_

3 Do you think the other parent may take the child without your permission to:

a. ☐ Another county in California? ☐ Yes ☐ No If "yes," what county? \_\_\_\_\_

b. ☐ Another state? ☐ Yes ☐ No If "yes," what state? \_\_\_\_\_

c. ☐ A foreign country? ☐ Yes ☐ No If "yes," what country? \_\_\_\_\_

If "Yes," is the other parent a citizen of that country? ☐ Yes ☐ No

If "Yes," does the other parent have family or emotional ties to that country? ☐ Yes ☐ No

Explain:

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4 Why do you think the other parent may take the child without your permission?

The other parent: (*Check all that apply*)

a. ☐ Has violated — or threatened to violate — a custody or visitation order in the past.

b. ☐ Does not have strong ties to California

c. ☐ Has done things recently that make it easy for him or her to take the child away without permission. He or she has: (*Check all that apply*)

☐ Quit his or her job

☐ Sold his or her home

☐ Closed a bank account

☐ Ended a lease

☐ Sold or gotten rid of assets

☐ Hidden or destroyed documents

☐ Applied for a passport, birth certificate, or school or medical records

d. ☐ Has a history of: (*Check all that apply*)

☐ Domestic violence

☐ Child abuse

☐ Not cooperating with me in parenting

☐ Child abduction

e. ☐ Has a criminal record

f. Please explain your answers to a–e:

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**This is not a Court Order.**

This is not a Court Order.

Type or print your name

Sign your name



Date: \_\_\_\_\_

is true and correct.

I declare under penalty of perjury under the laws of the State of California that the information on this form

13

I ask the court to order the other parent to get a custody and visitation order equal to the most recent U.S. order before the child can travel to that country for visits. I understand that foreign orders may be changed or enforced depending on the laws of the country.

12

☐ Foreign Custody and Visitation Order

I ask the court to order the other parent to notify the embassy or consulate of \_\_\_\_\_ of this order and to provide the court with proof of that notification within \_\_\_\_\_ calendar days.

11

☐ Notify Foreign Embassy or Consulate of Passport Restrictions

- ☐ The child's travel itinerary  
☐ Copies of round-trip airline tickets  
☐ Addresses and telephone numbers where the child can be reached  
☐ An open airline ticket for me in case the child is/are not returned  
☐ Other (specify): \_\_\_\_\_

If the other parent is allowed to travel with the child, I ask the court to order the other parent to give me before leaving:

10

☐ Provide Itinerary and Other Travel Documents

I ask the court to order the other parent to turn in and *not* apply for passports or other documents (such as visas or birth certificates) that can be used for travel.

9

☐ Turn In and Do Not Apply for Passports or Other Vital Documents

I ask the court to order the other parent to register this order in the state of \_\_\_\_\_ before the child can travel to that state for visits.

8

☐ Notify Other State of Travel Restrictions

I ask the court to order the other parent *not* to travel with the child outside: (Check all that apply)  
☐ This county  
☐ California  
☐ The United States  
☐ Other (specify): \_\_\_\_\_

7

☐ No Travel Without My Permission

I ask the court to order the other parent *not* to move with the child without my written permission or a court order.

6

☐ Do Not Move Without My Permission or Court Order

I ask the court to order the other parent to post a bond for \$ \_\_\_\_\_. If the other parent takes the child without my permission, I can use this money to bring the child back.

5

☐ Post a Bond

What orders do you want? Check the boxes that apply to your case. ☒

Your name: \_\_\_\_\_

Case Number: \_\_\_\_\_

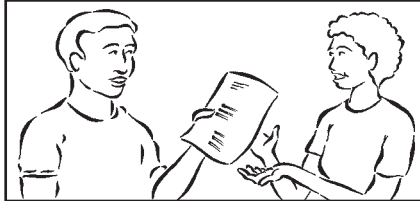
1 Protected person's name: \_\_\_\_\_

2 Restrained person's name: \_\_\_\_\_

3 **Notice to Server**

You must:

- Be 18 or over.
- Not be listed on the restraining order.
- Give a copy of all documents checked in 4 to the restrained person in 2. (You cannot send them by mail.) Then sign this form and give or mail it to the protected person.



Court name and street address: \_\_\_\_\_

4 I gave the person in 2 a copy of all documents checked below:

- a. ☐ DV-110 with DV-100 and a blank DV-120  
(Temporary Restraining Order and Notice of Hearing;  
Request for Order; blank Answer to Temporary Restraining Order)
- b. ☐ DV-105 and DV-140 (Child Custody, Visitation, and Support Request; Child Custody and Visitation Order)
- c. ☐ FL-150 with a blank FL-150 (Income and Expense Declaration)
- d. ☐ FL-155 with a blank FL-155 (Simplified Financial Statement)
- e. ☐ DV-125 (Reissue Temporary Restraining Order)
- f. ☐ DV-130 (Restraining Order After Hearing)
- g. ☐ Other (*specify*): \_\_\_\_\_

Case Number: \_\_\_\_\_

5 I gave copies of the documents checked above to the person in 2 on:

- a. Date: \_\_\_\_\_ b. Time: \_\_\_\_\_ ☐ a.m. ☐ p.m.
- c. At this address: \_\_\_\_\_

6 **Server's Information**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

(If you are a process server):

County of registration: \_\_\_\_\_ Registration number: \_\_\_\_\_

7 I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
Type or print server's name



\_\_\_\_\_  
Server to sign here



*Clerk stamps date here when form is filed.*

- ① Your name (person asking for protection):

\_\_\_\_\_  
Your address (*skip this if you have a lawyer*): (*If you want your address to be private, give a mailing address instead*):

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Your telephone (*optional*): (\_\_\_\_\_) \_\_\_\_\_

Your lawyer (*if you have one*): (*Name, address, telephone number, and State Bar number*):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ② Name of person you want protection from:

\_\_\_\_\_

*Fill in court name and street address:*

*Clerk fills in case number when form is filed.*

**Case Number:**

### Request for Free Service

- ③ If you qualify for a fee waiver, complete *Application for Waiver of Court Fees and Costs* (form 982(a)(17)) and file it with this request. (*Check one*):

- a. ☐ I have completed and filed a fee waiver application.  
b. ☐ I am not eligible for a fee waiver.

- ④ I am entitled to free service of the restraining orders by the sheriff or marshal because (*check either item a or b*):

- a. ☐ I asked for domestic violence prevention restraining orders on Form DV-100.  
b. ☐ I asked for civil harassment restraining orders on Form CH-100, and my request was based on my fear of (*check at least one box, if applicable*):  
(1) ☐ sexual assault.  
(2) ☐ stalking.

*(If you are not entitled to free service under a or b, you may be eligible under a fee waiver or may pay the sheriff or marshal to serve the restraining orders.)*

I declare under penalty of perjury, under the laws of the State of California, that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*



\_\_\_\_\_  
*Sign your name*

(Order is on next page)



Court Order

- 5

The court has reviewed the request of the person in ① and finds that (check one box only):
- a. ☐ The person qualifies for a fee waiver under rule 985 of the California Rules of Court.

b. ☐ The person does not qualify for a fee waiver, but qualifies for orders under item 4a or 4b above.

c. ☐ The person does not qualify for a fee waiver or for orders under item 4a or 4b above.
- 6

The sheriff or marshal shall serve the restraining order (on Form DV-110 or DV-130 or CH-120 or CH-140 and reference documents) ☐ without cost ☐ with cost to the person in ①.

Date: \_\_\_\_\_

☐ Clerk, by \_\_\_\_\_, Deputy  
(Clerk may grant in full a nondiscernable fee waiver; see Cal. Rules of Court, rule 985(d).)

☐ \_\_\_\_\_ or \_\_\_\_\_

Judicial Officer

Instructions for Protected Person

- Fill out page 1 of this form. This form will allow you to ask the sheriff or marshal to serve the restraining order on the restrained person. **There is no cost to you if you qualify under either item 4a or 4b on page 1.**
- Fill out the *Application for Waiver of Court Fees and Costs* (Form 982(a)(17)) if you qualify for a fee waiver based on financial need.
- Give the forms to the court clerk together with your request for a restraining order.
- Ask the clerk how to make sure the sheriff or marshal gets your papers for service.
- If you do not qualify for free service of the restraining order under this request or a fee waiver, you may pay the sheriff or marshal to serve the order on the restrained person.
- For more information about service, read *What is "Proof of Service"?* (Form CH-135 or Form DV-210).

Instructions for Law Enforcement

- Government Code section 6103.2(b) allows the sheriff or marshal to bill the court only for orders or injunctions described in subdivision (g)(1) of Code of Civil Procedure section 527.6. The sheriff or marshal may bill the court for service **only** if item 5b above is checked.
- If the sheriff or marshal is seeking reimbursement for service, the box below must be filled out and a copy of this form returned to the court listed on page 1. **This is not a proof of service.**

Service of the order was made or attempted on (date): \_\_\_\_\_ Fee for service: \$ \_\_\_\_\_

Date: \_\_\_\_\_

(Type or Print Name of Law Enforcement Representative)

(Signature of Law Enforcement Representative)

(Title and Agency)

(This is Not a Proof of Service.)